

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT BYRON LEE,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. 3:17-CV-05002-BHS-JRC

REPORT AND RECOMMENDATION

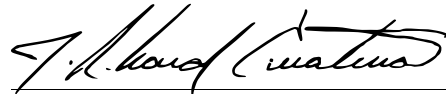
NOTED FOR: FEBRUARY 17, 2017

On January 3, 2017, petitioner filed a motion for leave to proceed *in forma pauperis* (IFP). Dkt. 1. Petitioner paid the \$5.00 filing fee on January 23, 2017. *See* Dkt. entry dated January 23, 2017. Therefore, the undersigned recommends that the Court deny his IFP motion as moot.

Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), Petitioner shall have fourteen (14) days from service of this Report and Recommendation to file written objections thereto. *See also* Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those objections for purposes of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985). Accommodating the time limit

1 imposed by Rule 72(b), the Clerk is directed set this matter for consideration on **February 17,**
2 **2017**, as noted in the caption.

3 Dated this 27th day of January, 2017.

4 

5 J. Richard Creatura
6 United States Magistrate Judge
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24